

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Paul Blackmer

v.

Case No. 03-cv-275-PB

NH State Prison, Warden

O R D E R

Paul Blackmer has filed a "Motion for Leave to Revisit Matters as is Captioned Above by Means of Petition for Declaratory Judgment." In this motion, he asks the court to reconsider summary judgment rulings I entered in 2004.

I lack the power to grant Blackmer's request. Judgment was entered on December 10, 2004. The First Circuit Court of Appeals issued a Mandate rejecting Blackmer's request for a certificate of appealability on March 8, 2006. To the extent that Blackmer seeks relief from the judgment pursuant to Fed. R. Civ. P. 60(b), he has failed to demonstrate that he filed the motion within a reasonable time as is required by Fed. R. Civ. P. 60(c). To the extent that Blackmer seeks to file a new petition for relief, it is a second or successive petition that requires pre-authorization from the Court of Appeals. See 28

U.S.C. § 2244 (b) (3) (A) . The motion (Doc. No. 83) is denied.

SO ORDERED.

/s/Paul Barbadoro
Paul Barbadoro
United States District Judge

August 6, 2012

cc: Paul Blackmer, pro se
Charles J. Keefe, Esq.